

1AP4R33'DEPTO 22 DEC 2005 #4

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop - Box Missing Parts - Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date specified below.



Date: 12-20-05

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 10/527,468

Examiner: (not yet assigned)

Filing Date: March 10, 2005

Group Art Unit: Unassigned

Inventor: Oliver Fahnle

Attorney Docket No. 1248.001

Assignee: Fisba Optik AG

Invention: *Device For The Abrasive Machining Of Elements And In Particular Optical Elements Or Workpieces*

Priority: International Appln. No. PCT/EP02/03120  
International Filing Date: 20 March 2002

German Application Serial No. 101 13 599.8  
Filed: 20 March 2001

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED  
OFFICE (DO/EO/US)**

Mail Stop Box Missing Parts - PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), mailed October 21, 2005 in the above-captioned application, applicant submits the following:

- 1) Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US).
- 2) Executed 1-page Declaration.
- 3) Copy of application translated into English.

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 dated October 21, 2005  
U.S. Serial No.: 10/527,468; filed March 10, 2005  
Inventor: Oliver Fahne.  
Page 2

- 4) A check in the amount of \$130.00 for payment of the government fee for late filing of applicants' Declaration.

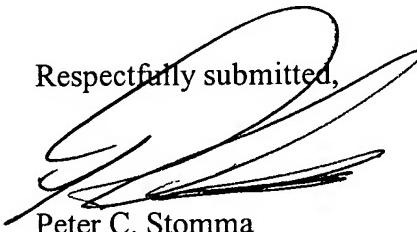
With respect to the English translation, applicant notes that such document was provided with the application as filed. A true and correct copy of a postcard confirming receipt of the English translation and bearing a date stamp of the Patent and Trademark Office acknowledging receipt of the document is attached hereto as Exhibit 1. Hence, it is believed that no processing fees for late filing of the translation are required. However, if the application is found to be in error, the Director is hereby authorized to charge payment of any extension or additional fees associated with this or any other communication or credit any overpayment to Deposit Account No. 50-1170.

01/03/2006 ATRAN1 00000139 10527468

01 FC:1617

130.00 OP

Respectfully submitted,



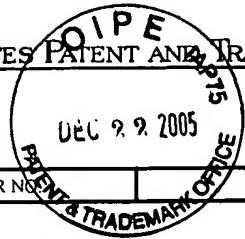
Peter C. Stomma  
Registration No. 36,020

Dated: 10/20/05

BOYLE, FREDRICKSON, NEWHOLM, STEIN & GRATZ, S.C.  
250 Plaza, Suite 1030  
250 East Wisconsin Avenue  
Milwaukee, WI 53202  
Telephone: (414) 225-9755  
Facsimile: (414) 225-9753

*Pct*

UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/527,468                  | Oliver Fahne          | 1248.001         |

Peter C. Stomma  
Boyle Fredrickson Newholm Stein & Gratz, S.C.  
250 E Wisconsin Avenue  
Suite 1030  
Milwaukee, WI 53202

|                               |               |
|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. |               |
| PCT/EP02/03120                |               |
| I.A. FILING DATE              | PRIORITY DATE |
| 03/20/2002                    | 03/20/2001    |

CONFIRMATION NO. 2190  
371 FORMALITIES LETTER



\*OC000000017299837\*

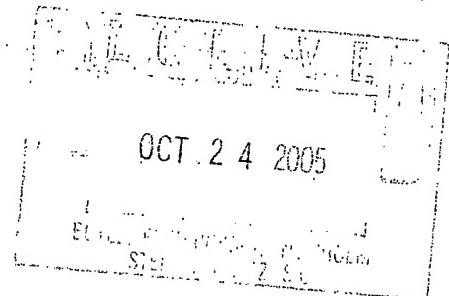
Date Mailed: 10/21/2005



### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/10/2005
- Copy of the International Search Report filed on 03/10/2005
- Copy of IPE Report filed on 03/10/2005
- Preliminary Amendments filed on 03/10/2005
- Oath or Declaration filed on 03/10/2005
- U.S. Basic National Fees filed on 03/10/2005
- Priority Documents filed on 03/10/2005
- Power of Attorney filed on 03/10/2005



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

*A copy of this notice **MUST** be returned with the response.*

KAYA L LEWIS BALTIMORE

---

Telephone: (703) 308-9140 EXT 202

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/527,468                  | PCT/EP02/03120                | 1248.001         |

FORM PCT/DO/EO/905 (371 Formalities Notice)

LAP3 Rec'd OCTO 22 DEC 2005

Please type a plus sign (+) inside this box

→ +

PTO/SB/21 (08-00)

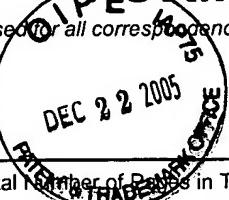
Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)



Total Number of Papers in This Submission

Application Number

10/527,468

Filing Date

March 10, 2005

First Named Inventor

Oliver Fahnle

Group Art Unit

Not yet assigned

Examiner Name

Not yet assigned

Total Number of Papers in This Submission

Attorney Docket Number

1248.001

## ENCLOSURES (check all that apply)

- Fee Transmittal Form  
 Fee Attached  
 Amendment / Reply  
 After Final  
 Affidavits/declaration(s)  
 Extension of Time Request  
 Express Abandonment Request  
 Information Disclosure Statement  
 Certified Copy of Priority Document(s)  
 Response to Missing Parts/ Incomplete Application  
 Response to Missing Parts under 37 CFR 1.52 or 1.53

- Assignment Papers (for an Application)  
 Drawing(s)  
 Licensing-related Papers  
 Petition  
 Petition to Convert to a Provisional Application  
 Power of Attorney, Revocation  
 Change of Correspondence Address  
 Terminal Disclaimer  
 Request for Refund  
 CD, Number of CD(s)

- After Allowance Communication to Group  
 Appeal Communication to Board of Appeals and Interferences  
 Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  
 Proprietary Information  
 Status Letter  
 Other Enclosure(s) (please identify below):  
 Return Postcard  
 Declaration and Power of Attorney  
 Copy of Notification of Missing Requirements  
 Check For \$130.000  
 English Translation  
 Exhibit 1

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name Peter C. Stomma, Reg. No. 36,020  
 Boyle Fredrickson Newholm Stein & Gratz, S.C.  
 250 E. Wisconsin Avenue, Suite 1030  
 Milwaukee, WI 53202

Signature

Date

12/20/05

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop, Box Missing Parts -Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:

12-20-05

Type or printed name Christine Kierzek

Signature

Date

12-20-05

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**EXHIBIT**

tables

**10/527 468**

Re: National Phase Patent Application Filed Under 35 U.S.C. 371  
International Application No. PCT/EP02/03120

Inventor: Fahnie, Oliver

Title: *Device for the Abrasive Machining of Surfaces of Elements and in Particular Optical Elements or Workpieces*

Attorney Docket: 1248.001

SP

The following has been received in the U.S. Patent Office on the DATE STAMPED hereon and Assigned  
**SERIAL NO.:**

Express Mail Certificate of Mailing dated March 10, 2005, enclosing:

- 1). Transmittal Letter to US Designated Office DO/EO/US Form PTO-1390;
- 2). Copy of the International Application and drawings;
- 3). English language translation of the International Application;
- 4). Petition under 37 CFR 1.137(b) for revival of an Application for Patent abandoned unintentionally and fee for \$1,500.00;
- 5). Preliminary Amendment - 6 pages;
- 6). Declaration and Power of Attorney;
- 7). Filing fee of \$1,000.00; and
- 8). Certificate of Express Mail and Express Mail No. EV506062877US.

Attorney: PCS

**DT00 Rec'd PCT/PTO 10 MAR 2005**